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E.O. 12958: N/A

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SUBJECT: KAZAKHSTAN: NUCLEAR SECURITY COOPERATION WITH U.S.

11. (SBU) Summary: The Ministry of Foreign Affairs has informed post that it believes a U.S. - Kazakhstan agreement on nuclear security cooperation expired seven years ago. See request for guidance, para. 3. End summary.

12. (SBU) Post received a diplomatic note dated March 1, 2006, from the Ministry of Foreign Affairs concerning the agreement between Kazakhstan's Atomic Energy Agency and the Nuclear Regulatory Commission on technical information exchange and nuclear security cooperation. Embassy translation follows:

The Republic of Kazakhstan's legal and contractual framework contains an agreement of February 14, 1994, between the RK's Atomic Energy Agency and the U.S. Nuclear Regulatory Commission concerning the exchange of technical information and cooperation in the field of Nuclear Security.

Based on Section 1, Article 4 of the given agreement, the Kazakhstani side understands that the legal document lost force as of February 14, 1999.

The Ministry [of Foreign Affairs] would appreciate the Embassy's confirmation of receipt of this note.

13. (SBU) Post requests guidance in responding to the dip note, including clarification of whether the U.S. agrees that the agreement has expired.

ORDWAY